

# WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT

## Minutes of Meeting of Board of Directors

June 14, 2024

The Board of Directors (the “Board”) of Westwood Magnolia Parkway Improvement District (the “District” or “WMPID”) met in regular session, open to the public, at Zanti Cucina Italiana at 10000 Research Forest Drive, Magnolia, Texas 77354, a designated meeting place of the District, and the roll was called of the members of the Board as follows:

Brent Everson	Chairman	City of Conroe
James David Wallace	Vice Chairman	City of Conroe
Gary Squyres	Secretary	County Commissioner’s Court
Tom Grayson	Treasurer/Asst. Secretary	County Commissioner Pct. 2
Robert Barnwell	Director	County Commissioner Pct. 2
Pat Robertson	Director	Magnolia I.S.D.
Tim Weems	Director	Magnolia I.S.D.

and all of the above Directors were present, except Directors Barnwell and Robertson, thus constituting a quorum.

Also present for the meeting were: Michael Keck and Michael McDaniel of LJA Engineering (“LJA”); Rob Eissler and Kelly Hamann of Special District Management (“SDM”); Frank Mitchell and Daniel Scruggs of Mitchell, Zientek & Scruggs, LLP (“MZS”); Derek Michael of Sales Revenue Inc. (“SRI”); Sergeant Swank of Montgomery County Sheriff’s Office (“MCSO”); Glenn Buckley of Lake Creek Greenway Partnership (“LCGP”); Eric Terrell of Alpha & Omega, Inc. (“A&O”); and Fire Chief Hevey of Magnolia Fire Department.

### **PUBLIC COMMENTS**

There were no public comments presented at this time.

### **CONSENT AGENDA**

Director Everson offered Board members the opportunity to remove items from the Consent Agenda for individual discussion. Director Grayson motioned, seconded by Director Wallace, to approve the Consent Agenda containing the following items: (1) approval of the May 10, 2024, regular Board meeting minutes, as presented; (2) Grant and funding updates; and (3) Financial/Bookkeeping report, attached as **Exhibit A**, payment of bills, review of investments, reimbursements, and review and consider possible amendments to 2024 proposed budget, including Pay Estimate No. 1 to Aranda Brothers Construction Co., Inc. in the amount of \$276,509.70. The motion passed unanimously.

### **SHERIFF’S REPORT**

Sergeant Swank presented the Sheriff’s Report, attached as **Exhibit B**, and reviewed incidents within the District. He reviewed a specific incident of an arrest of a robbery suspect and

## WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT

### Minutes of Meeting of Board of Directors

gave an update on a building collapse within the District. Chief Hevey provided additional input regarding the building collapse. The Board took no action at this time and thanked Sergeant Swank as he exited the meeting.

#### **MOUNTED PATROL REPORT**

Mr. Terrell provided a brief report and further discussed the building collapse. The Board thanked Mr. Terrell for his attendance. He exited the meeting at this time.

#### **FIRE CHIEF REPORT**

Chief Hevey provided the Fire Chief Report. He noted that there were over 700 calls for services for the past month. He discussed a fatal fire near the boundaries of the District. He also discussed the building collapse at length. Chief Hevey noted that he would be retiring in August of 2025. The Board congratulated Chief Hevey on his planned retirement.

#### **COMMISSIONER'S REPORT**

Mr. Eissler provided a brief update regarding the ongoing projects of the Montgomery County Precinct No. 2 Commissioner's Office ("MCP2"). He noted that SDM would be meeting with the Commissioner to discuss ongoing projects and he invited Board members, in less than a quorum, to attend.

#### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Eissler presented the Executive Director's Report on behalf of SDM, a copy of which is attached as **Exhibit C**. Mr. Eissler provided an update on the District's revenue projections and upcoming events relevant to the District.

Mr. Eissler then presented aerial photographs of ongoing developments and infrastructure improvements within the District, principally of the ongoing Texas Department of Transportation ("TxDOT") construction along FM1488 and Tamina Road. He and Ms. Hamann presented a potential grant request from LCGP. The Board generally concurred with the potential grant, but requested that LCGP submit a formal request and application for review prior to the proposed funding date.

#### **REGENCY CENTER REIMBURSEMENT**

Mr. Scruggs noted that the 2024 reimbursement payment to Regency Center was ready for approval. He further noted that the amount was calculated per the reimbursement agreement between Regency Center and the District. Director Wallace motioned to approve the reimbursement payment to Regency Center as presented. Director Squyres seconded said motion, which passed unanimously.

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## Minutes of Meeting of Board of Directors

### REGIONAL DETENTION BASIN REPORT

The Board took no action at this time.

### ENGINEER'S REPORT

Mr. Keck presented the Engineer's Report, a copy of which is attached as Exhibit D. Mr. Keck provided an update on the Tamina Road enhancement project. He, Ms. Hamann, Mr. Eissler, and the Board discussed various utility related issues that arose during the construction related to the Tamina Road enhancement project. He noted that the utility issues were not related to the District's contractors and were instead another contractor. Mr. Keck discussed the matter further. Lastly, Mr. Keck noted that he would bring paver samples to the next meeting for the Board to review and consider. The Board took no additional action at this time.

### SALES TAX REPORT

Mr. Michael presented the Sales Tax Report, a copy of which is attached as Exhibit E. He reviewed the businesses of the District related to sales tax and made note of the revenue trends of the District. He made specific note of the additional sales tax filers within the District.

### ATTORNEY'S REPORT

Mr. Scruggs noted that there were no additional items to discuss on the Attorney's Report.

### DISCUSSION REGARDING PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS

The Board discussed the future meeting schedule, noting that the next regular Board meeting will take place on July 12, 2024.

### EXECUTIVE SESSION

The Board entered executive session at 1:05pm for consultation with attorney.

### RECONVENE IN OPEN SESSION AND AUTHORIZE ANY ACTION RESULTING FROM EXECUTIVE SESSION

The Board reconvened in open session at 1:28pm and concurred in approaching Conroe with possible solutions to their ongoing water and wastewater needs.

### ADJOURNMENT

Director Everson adjourned the meeting at this time.

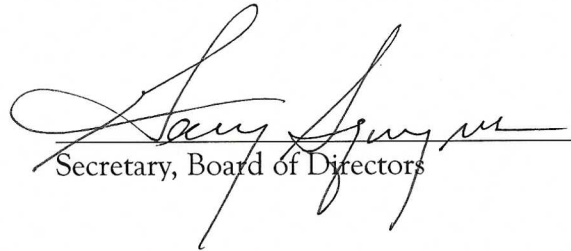
WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT  
Minutes of Meeting of Board of Directors

Approved this 12th day of July, 2024.

WESTWOOD MAGNOLIA PARKWAY  
IMPROVEMENT DISTRICT

[SEAL]



  
Secretary, Board of Directors

LIST OF EXHIBITS

- Exhibit A - Bookkeeper's Report
- Exhibit B - Sheriff's Report
- Exhibit C - Executive Director's Report
- Exhibit D - Engineer's Report
- Exhibit E - Sales Tax Report